

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 JUAN IGARTUA,
on behalf of himself and all others similarly
situated,

Plaintiff,

-against-

DAGGA LLC d/b/a JUST A LITTLE HIGHER:
 UPPER WEST SIDE,

Defendant.

24-CV-6749 (VSB)

ORDER

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VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on September 5, 2024, (Doc. 1), and filed an affidavit of service on October 1, 2024, (Doc. 6). The deadline for Defendant to respond to Plaintiff's complaint was October 17, 2024. On November 4, 2024, I directed Plaintiff to seek default judgment by no later than November 19, 2024. (Doc. 7.) I warned, "If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss Plaintiff's claims for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b)." (*Id.*) To date, Defendant has not appeared or responded to the complaint. Plaintiff, however, has not sought default judgment or taken any action to prosecute this case.

Accordingly, it is hereby:

ORDERED that Plaintiff seek default judgment by December 13, 2024. If Plaintiff fails to do so or otherwise demonstrate an intent to prosecute this litigation, I will dismiss this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: December 2, 2024
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized 'V' and 'B'.

VERNON S. BRODERICK
United States District Judge